

ADDITIONAL STATEMENT OF THE PARTY OF THE UNITED STATES OF AMERICA ON
AGENDA ITEM 4

Like other Parties participating in the Eighteenth session of the IMSO Assembly, we are strongly committed to the Long Range Identification and Tracking (LRIT) program established by the International Maritime Organization (IMO) in SOLAS V/Regulation 19-1, and are as aware as other Parties of the aggressive timeframe established in that regulation for system implementation.

The Assembly's decision to adopt an amendment related to LRIT at this session may lend the appearance that the IMSO has made substantial progress towards being one potential candidate for the IMO to select as "LRIT Coordinator". However, the reality is that the amendment that was adopted is seriously flawed, and that an extensive set of further amendments would need to be considered, adopted and subjected to procedures for their entry into force before the IMSO would be able effectively to take on any duties as the LRIT Coordinator.

The amendment that was adopted is at variance with normal form for language establishing the purpose of an intergovernmental organization. It would make the functions and duties of the IMSO subservient to the decisions of an entirely different international organization, including decisions not yet fully formulated. It also would make those functions and duties contingent simply on decisions of the IMSO Assembly, which is constituted to carry out the IMSO's purpose, not modify it. This flawed language, in both respects, could have the effect of undermining the deliberately created amendment procedures of Article 18 that protect IMSO Party governments from the functions of the organization being changed absent formal and proper acceptance by the required number of governments. Under the terms of the amendment that was passed, the functions of the IMSO could expand based on decisions of a separate international organization, subject merely to an Assembly vote. The United States of America finds this very troubling.

As to the matter of substance, the United States of America does not object to the IMSO being considered as one candidate for the role of LRIT Coordinator. However, the extensive amendments that would be required to specify the respective functions of the constituent organs of the IMSO, the manner of financing any new functions, and the essential accounting controls for new activities, have not been drafted, much less made available for consideration by the IMSO Parties.

It is for this reason that the amendment to the Convention adopted by the Assembly is inappropriate and inadequate for the intended purpose and, therefore, the United States does not agree with the decision of the Assembly.

The U.S. delegation was supportive of the process developed by the Drafting Group during the Assembly, and the United States of America remains ready to meet at the earliest opportunities to review the situation

and aid in new work that may enable the IMSO to be considered as one candidate for LRIT Coordinator within the anticipated LRIT implementation timeframe.